UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,367	01/11/2002	Kevin Scott Beyer	ARC920010085US1	6325

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EXAMINER
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ART UNIT	PAPER NUMBER
2165	4

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraft et al. (U.S.

Patent 6,516,312).

<u>Claim 1:</u> FIG. 3 illustrates a log file (260) which contains a log of abstracts. The

abstracts are obtained from both a crawler (200) and real user interactions performed by the user

at browser (140—also see col. 7, lines 4-6 and col. 7, lines 54-60). Whenever a user initiates a

query at browser (140), the log file (260) is analyzed to determine parameter combinations.

These determined parameter combinations are illustrated in FIG. 6A, and include combinations

of keywords and URLs. In turn, these parameter combinations permit further access into the

URLS associated with the displayed keywords.

<u>Claim 2:</u> FIG. 6A illustrates the parameters, which are keywords ("RMI") and URLs that

contain the keyword. The parameters are data entries from HTML forms (websites). FIG. 6A is a

single set of such entries. The data entries are ranked from 1-5, indicating at least a single

occurrence of the keyword "RMI". As seen in FIG. 6A, any further entries beyond the fifth

ranked hit are excluded, as the ranked list only shows 5 hits. FIG. 6A further illustrates the

concept of having combinations of entries, such as the combination of keywords with URLs.

<u>Claim 3:</u> FIG. 6A illustrates a single set of entries. The five entries form the single set.

Only one combination of entries is permitted under the system. This combination is "keyword"

and "URL." Since that one combination is shown, FIG. 6A can be said to display all of the available combinations, as only one is available.

Claim 4: The entries illustrated in FIG. 6A can either be referred as limited text entries since they are abstracts, or unlimited text entries since they are linked to complete articles. Since each one of entries in FIG. 6A is an abstract, it inherently has certain words removed in comparison to the full and complete article. It is also observed that certain stop words, such as "by", "and", "the" do not appear in any of the entries. Certain words are abbreviated, such as the month of publication and the author's full name.

Claim 5: The log file (260) is maintained by the proxy server (100).

Claim 6: In FIG. 6A, the keywords are parameters which are clickable hyperlinks. This permits further access into specific URLs using the keyword parameters.

Claim 7: FIG. 3 illustrates a log file (260). The log file contains abstracts obtained from both a web crawler (200) and previous queries by the user at browser (140—col. 7, lines 4-6 and col. 7, lines 54-60). Using the log file (260) a set of possible queries are identified. These are illustrated in FIG. 6. Queries are considered to be "form input data" since they are data that are entered into forms, such as the under interface of FIG. 6 or a user browser (col. 6, lines 18-23). The queries are made by clicking on the underlined keyword. Each query is a synthesis of information, including limited text entry (an abstract), predefined sets (a URL) and unlimited text entry (linkage to the full article). The queries are automatically provided to the user at browser (140), which is also readable as a web crawler because it can traverse websites.

Claim 8: The abstract portions of the query entries in FIG. 6A are maintained in log file (260). However, the entire abstract with the keywords are stored in a separate log file (120—col. 7, lines 33-35).

Claim 9: Both the log files (260) and (120) are maintained by a proxy server (100).

Claim 10: FIG. 6A illustrates one single set of ranked entries. Each entry can be referred to as one of a predetermined set, limited text entry or unlimited text entry for the reasons set forth in claim 7. Entries beyond the fifth entry are excluded. FIG. 6A further illustrates paired entries. For example, each keyword entry is paired to a URL entry.

Claim 11: Each of the entries shown in FIG. 6A are abstracts and thus inherently have certain words removed in comparison the original text. In addition, certain stop words, such as "by", "and", "the" do not appear in the text of FIG. 6A.

Claim 12: See remarks for claim 1.

Claim 13: See remarks for claim 2.

Claim 14: See remarks for claim 3.

Claim 15: See remarks for claim 4.

Claim 16: See remarks for claim 5.

Claim 17: See remarks for claims 1 and 2.

Claim 18: See remarks for claim 4.

Claim 19: See remarks for claim 5.

Claim 20: See remarks for claim 1.

Claim 21: See remarks for claim 2.

Claim 22: See remarks for claim 3.

Claim 23: See remarks for claim 4.

Claim 24: See remarks for claim 5.

Claim 25: See remarks for claim 6.

Remarks

Applicant's arguments have been considered.

Applicant's primary argument centers on the interpretation of the term "parameter". Applicant argues that this term must be interpreted as meaning *"a stored set of user responses (i.e. parameter values) to the same question (i.e. parameter name) presented by the same www form."* Examiner maintains that the term "parameter" does not have such a narrow definition, and that the claims cannot be interpreted as having these limitations as they are not specifically recited. The Merriam Webster dictionary recites that the term "parameter" may refer to nothing more than a "characteristic element" or "characteristic". It is not necessarily a specific answer to anything, or a specific response to a specific question. Examiner maintains that the data provided in FIG. 6A are in fact data that can be referred to as parameters and provide characteristic information of websites.

Applicant argues that the abstracts contained in the log file of Kraft et al. are not used to determine parameter combinations. Examine maintains that these abstracts are used to produce the data illustrated in FIG. 6A. The data in FIG. 6A has been determined to be combinations of parameters.

Applicant argues that the system (100) is not a proxy server. Claim 5 goes on to define a proxy server as a system that resides between a client and a web server that provides world wide

web content. However, FIG. 3 illustrates the end user at browser (140). The word wide web server and its world wide web content are diagrammatically illustrated at (20) in FIG. 3 (also see col. 5, lines 58-65). Since the system (100) serves data to the client user and resides between the client and world wide web servers, the system (100) is a proxy server by applicant's own definition in claim 5.

Applicant further argues that Kraft et al. does not disclose limited and unlimited text entries. Here, applicant is also relying on definitions for the meanings of "limited text entry" and "unlimited text entry" which are not fully elaborated in the claims, and thus are not necessarily the correct interpretation of these terms as they are used in the claims.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at

telephone number (703) 306-5626.

Sam Rimell
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Art Unit 2175